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PRODUCT, AND CONFIDENTIAL PERSONNEL INFORMATION*

Fresno Unified School District

Bullard High School Incident of January 11, 2019

February 11, 2019

Prepared by: Jeffrey Pierce

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EXECUTIVE SUMMARY OF BULLARD HIGH SCHOOL INCIDENT OF JANUARY 11, 2019

On January 11, 2019, an incident occurred in front of the snack bar at Bullard High School ("Bullard") in which Fresno Unified School District ("District") Trustee Terry Slatic and a Bullard student were involved in a physical altercation. The incident was captured on security video, which did not include audio.

On January 13, 2019, the District's legal counsel, Atkinson, Andelson, Loya, Ruud & Romo retained Private Investigator Jeffrey Pierce of Oliver, Thomas & Pierce Investigations, Inc. to investigate the incident. This report is a product of that investigation.

The scope of the investigation was to determine the details of the incident, including the events that led to Mr. Slatic approaching and physically engaging the student; whether the student threatened Mr. Slatic; and if so, when the threat occurred.

The investigation began on Monday, January 14, 2019 and concluded on Wednesday, January 30, 2019. During the course of the investigation, nine individuals were interviewed; including four District employees, three students, one outside witness and Mr. Slatic.

Evidence used to determine findings included investigative interviews, statements made to School Resource Officer Daniel Gomez, statements made to media outlet GV Wire, and the security video. Statements made to Officer Gomez appeared in Fresno Police Report case: 19-002564. Statements made to GV Wire appeared in an article published on January 14, 2019.

The findings, based on the preponderance of the evidence standard, are as follows: It is more likely than not that Mr. Slatic approached the student and grabbed his backpack as a result of the student's disrespectful and profane comments to both him and Ms. [REDACTED]. The student threatened to beat and shoot Mr. Slatic after Mr. Slatic engaged him physically by grabbing his backpack. The threatening words came as the two squared off with each other as if to fight, and not before Mr. Slatic grabbed the backpack.

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I. BRIEF INTRODUCTION

On January 13, 2019, Atkinson, Andelson, Loya, Ruud & Romo ("AALRR") on behalf of their client, Fresno Unified School District ("District"), retained me, Jeffrey Pierce, a licensed private investigator with Oliver, Thomas & Pierce Investigations, Inc. ("OTP"), to conduct an investigation of an incident that occurred on Friday, January 11, 2019 in the snack bar area at Bullard High School ("Bullard") involving physical contact between Bullard student [REDACTED] ("student") and District trustee Terrence Slatic. The incident was witnessed by Mr. Slatic's [REDACTED], [REDACTED], who was accompanying Mr. Slatic that afternoon on campus. The incident was captured in its entirety on video by a campus security camera. (**Exhibit 1**) The video does not include an audio component. Frame by frame still shots of the video are attached as **Exhibit 2**.

This is the confidential investigation report of my findings. The report contains confidential and privileged information pursuant to the attorney-client privilege and the attorney work product doctrine, as well as confidential personnel and student information. It also contains detailed information, witness accounts, relevant documentation, analyses and findings relating to the allegations.

II. SUMMARY OF FINDINGS

Based on the preponderance of the evidence standard, it is more likely than not that the following occurred. Mr. Slatic approached the student and grabbed his backpack as a result of the student's disrespectful and profane comments to both him and Ms. [REDACTED]. The student threatened to beat and shoot Mr. Slatic after Mr. Slatic engaged him physically by grabbing his backpack. The threatening words came as the two squared off with each other as if to fight, and not before Mr. Slatic grabbed the backpack.

III. FACTUAL BACKGROUND

The following facts provide relevant background and context to this investigation.

Mr. Slatic was sworn in as a District trustee on December 12, 2018. Ms. [REDACTED] is his [REDACTED]. Mr. Slatic and Ms. [REDACTED] were at Bullard on the afternoon of this incident to

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observe the process associated with the school's after-school meal for students, referred to as Super Snack. It had been reported to Mr. Slatic that the serving of the Super Snack out of the school's snack bar was resulting in a great deal of litter on campus and he wanted to observe and explore possible resolutions.

██████████ is a 15-year old freshman at Bullard. He was standing by the snack bar waiting for it to open so he could get his after-school snack. The distribution of the Super Snack begins daily at 3:30 p.m. and this incident occurred just a couple of minutes before that. ██████████ said he eats the after-school snack on most days.

IV. INVESTIGATIVE METHODOLOGY

The following information provides details as to methodology I adopted while conducting this investigation.

A. Incident and Investigation Timeline

Friday, January 11, 2019 at 3:23 p.m.: The incident occurred in the area directly in front of the snack bar at Bullard. Mr. Slatic reported the incident to SRO Gomez a short time later.

Sunday, January 13, 2019 at 8:09 p.m.: AALRR contacted me by phone and retained me to conduct this investigation.

Monday, January 14, 2019 at 8:00 a.m.: I arrived at Bullard and began the investigation.

Friday, January 18, 2019 at 2:41 p.m.: I received the Fresno Police Department's report (case # 19-002564) from AALRR. **(Exhibit 3)**

Monday, January 21, 2019: My office and schools closed for the Martin Luther King, Jr. holiday.

Tuesday, January 22, 2019 at 9:30 a.m.: Returned to Bullard to interview two additional student witnesses who were identified in the police report.

Tuesday, January 22, 2019: Ms. ██████████ supervisor, ██████████, sent Ms. ██████████ an email asking her if she wanted to sit for an investigative interview with me.

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Wednesday, January 23, 2019 at 10:39 a.m.: I was provided with Mr. Slatic's phone number by the District and was directed by AALRR to call Mr. Slatic to attempt to schedule his interview. I left a voicemail message for Mr. Slatic at 10:52 a.m.

Thursday, January 24, 2019 at 11:35 a.m.: I received a message from AALRR that Ms. [REDACTED] had responded to Mr. [REDACTED] and that she would agree to be interviewed. I was asked to call her to schedule the interview. I left Ms. [REDACTED] a voicemail at 11:57 a.m. I was also advised the Mr. Slatic preferred that I contact him on his District email account instead of by phone. I sent Mr. Slatic an email at 12:20 p.m. advising him that I would like the opportunity to interview him.

Friday, January 25, 2019 at 7:49 a.m.: I received an email reply from Mr. Slatic saying he was out of town and would be available to meet me for his interview on Monday, January 28, 2019 at 1:00 p.m.

Monday, January 28, 2019 at 1:00 p.m.: I interviewed Mr. Slatic at my office. After not receiving a response to my earlier voicemail, I called Ms. [REDACTED] again at 1:26 p.m. and left another voicemail. She returned my call nine minutes later. She was unavailable for an interview that afternoon or the following day, so we scheduled it for the afternoon of Wednesday, January 30, 2019.

Wednesday, January 30, 2019 at 2:15 p.m.: I concluded the investigation by interviewing Ms. [REDACTED] at my office.

B. Witnesses

The following individuals were interviewed:

Name of Interviewee	Title	Date of Interview
[REDACTED]	[REDACTED]	January 14, 2019 (in person)
[REDACTED]	[REDACTED]	January 14, 2019 (in person)
[REDACTED]	Student	January 14, 2019 (in person)
[REDACTED]	[REDACTED]	January 14, 2019 (in person)

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██████████	████████████████████	January 14, 2019 (in person)
██████████	Student	January 22, 2019 (by phone)
██████████	Student	January 22, 2019 (in person)
Terrence Slatic	Trustee	January 28, 2019 (in person)
██████████	████████████████████	January 30, 2019 (in person)

I interviewed or attempted to interview all witnesses who appeared reasonably likely to provide direct information to support, refute or clarify the issues presented in this investigation.

The interviews of Mr. ██████████, Mr. ██████████, Ms. ██████████ and Ms. ██████████ were recorded. The student interviews were not recorded because their parents were not present, and I did not have their permission to do so. An uninvolved administrator, ██████████, sat in with the students during their interviews. Mr. Slatic and Ms. ██████████ both refused to allow their interviews to be recorded. The audio files of the recorded interviews are maintained on a secure server in the OTP office.

C. Exhibits

I reviewed the following documents:

Exhibit	Description of Document
1	January 11, 2019 security video
2	Still shots from January 11, 2019 security video
3	Fresno Police Department report, case: 19-002564
4	Article of January 14, 2019 from GV Wire

D. Scope

The scope of this investigation was to determine the details of the incident in question of January 11, 2019, including what led to Mr. Slatic approaching and physically engaging the student, did the student threaten Mr. Slatic, and if so at what point during the incident did the threat occur.

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E. Evidentiary Standard

For this investigation, the evidence was reviewed, compared and analyzed under a preponderance of the evidence standard to determine the factual details of the incident. "Preponderance of the evidence," for purposes of this report, means that the evidence on one side outweighs, or is more than, the evidence on the other side. In other words, a finding is appropriate if the evidence shows that a particular fact or event is more likely than not to have occurred. This is a qualitative, not quantitative, standard.

(Note: The information given in this report is not intended to constitute a legal finding of policy violations and/or advice, but is the report of the findings and analysis of the investigation, which is based on the facts collected and the knowledge and experience of the investigator.)

F. Independence

The District allowed me discretion to conduct the investigation as determined to be necessary. I was given access to all requested witnesses and documents by the District.

V. SUMMARY OF WITNESS EVIDENCE

1. [REDACTED] Perspective

Investigative interview

[REDACTED] said he was just "chillin" in front of the snack bar when two adults walked by, a woman and a man. He did not know them, and at the time of his interview, he still did not know who they were. The two adults were talking to each other and [REDACTED] heard one of them say, "Let's go over here." [REDACTED] said he was joking and trying to be funny when he said, "Yeah..." The woman then turned to him and said, "Excuse me? What?" [REDACTED] said, "Nothing." The woman then asked him what he was doing or who he was waiting for, or something to that effect. [REDACTED] replied by saying, "None of your damn business."

At that point, the two adults turned toward [REDACTED] and approached him. Trying to get away from the situation, [REDACTED] started walking away from them. When the man kept following him, [REDACTED] told him,

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"Leave me the fuck alone." He said the man then got mad and grabbed the backpack [REDACTED] was wearing. [REDACTED] tried pushing the man away, but he was big and "did not go anywhere." [REDACTED] then slipped out of the backpack and squared off with man. He said he thought he was going to have to fight him, which he did not want to do because he was much bigger than [REDACTED].

After they squared off, [REDACTED] said he told the man, "I'm going to beat your ass and shoot you." [REDACTED] said he did not have a weapon and was not really intending to shoot the man, but he was scared.

After [REDACTED] told the man he was going to beat his ass and shoot him, the man said to him, "Alright, let's go. You sure you want to go?" [REDACTED] told him yes, and the man said, "Ok, let's go." At that point, the woman walked toward them and said, "No...no," meaning she did not want them to fight. [REDACTED] said the man was briefly distracted by the woman's words, so he grabbed his backpack and ran off. [REDACTED] said he did not say anything to either of the adults as he ran away.

[REDACTED] said he only threatened to shoot the man one time, and that was after the man had grabbed him by the backpack he was wearing. He said there were some students sitting at a nearby bench, but he did not think they were paying attention. [REDACTED] said there might have been someone in the snack bar at the time, but he was not sure. He laughed and said, "I think I saw her in there, but I smoke too much weed."

[REDACTED] said he ran off campus following the incident and did not report it to anybody. He said he did not tell anybody about the incident over the weekend because he said, "I kind of forgot about it." He said he was not injured in the incident. [REDACTED] said he eats the Super Snack about half the time [REDACTED].

Statement to SRO Gomez

SRO Gomez interviewed [REDACTED] on Monday, January 14, 2019. [REDACTED] said he was standing by the snack bar when two adults walked past him talking to each other. He said he was just joking around when he repeated what one of the adults said to the other. He said to them, "Yeah, let's go over here." One of the adults asked him, "Excuse me, who are you waiting for?" [REDACTED] responded by saying,

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"It's none of your business." [REDACTED] said he then started to walk away.

[REDACTED] said the man yelled at him, "Hey." [REDACTED] told him, "Leave me alone." [REDACTED] said the man then grabbed his backpack really hard. [REDACTED] tried to push him away, but the man continued to hold on to his backpack, until he was able to slide out of it. [REDACTED] said he then put his hands up with clinched fists as if he was ready to fight. He said the man said to him, "You ready to go? You really want to go?" [REDACTED] said he hesitated and then grabbed his backpack and left.

[REDACTED] said he told the man, "I'm going to beat your ass." He also admitted to telling the man that he was going to shoot him. When asked how many times he threatened to shoot the man, [REDACTED] told SRO Gomez, "Once, I was scared."

[REDACTED] also identified two other students who were in the area, [REDACTED] and [REDACTED].

[REDACTED] denied that he ever reached into his backpack. He said the only time he reached for his backpack was when he grabbed it off the ground and ran off. [REDACTED] did not recall Mr. Slatic asking him to go to the office.

[REDACTED] said the woman told the man, "No, no, no" when it appeared that he and the man might fight. [REDACTED] said the comment he made about shooting the man was made out of anger and was also an attempt to scare the man. He said he made this comment after he and the man had squared off against each other.

[REDACTED] said he had not told anybody about the incident.

2. Terrence Slatic's Perspective

Investigative interview

Mr. Slatic said he and Ms. [REDACTED] were at Bullard that day in response to a reported litter problem associated with the school's Super Snack program. He and Ms. [REDACTED] were planning to sit 50-75 yards south of the snack bar and observe for themselves what was going on with respect to the litter.

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Mr. Slatic confirmed that he and Ms. [REDACTED] passed the student, who was standing by the snack bar, on their way to where they were going to sit and observe. At this point in the interview however, Mr. Slatic refused to answer any of my questions with respect to the incident itself other than to say, "Refer to my statement in SRO Gomez' report," or words to that effect. He replied with the same or similar response to every question I asked that pertained to the details of the incident, including what was said by whom and when. When I informed Mr. Slatic that some of the details I was asking about did not appear in SRO Gomez' report, he continued to refuse to answer any questions other than to say to refer to Gomez' report.

When asked about his statements to the media following the incident, Mr. Slatic said his remarks as they appeared in the outlet GV Wire were accurate and he stood by them, including his statement that the student reached for his backpack as Mr. Slatic closed the distance between him and the student. (Exhibit 4)

Immediately following the incident, Mr. Slatic said he and Ms. [REDACTED] walked to the administration office to report what had occurred. He said the first person with whom he made contact was [REDACTED]. He said he contacted Mr. [REDACTED] in the foyer area of the administration office. Mr. Slatic said he might have gone into Mr. [REDACTED] private office, but he was not sure. He was sure that he never sat down in his office. When asked if he viewed the video of the incident with Mr. [REDACTED], Mr. Slatic said, "Not that I recall." When asked what he told Mr. [REDACTED] about the incident, Mr. Slatic told me, "Refer to Gomez' report."

Mr. Slatic said Mr. [REDACTED] put him in touch with SRO Gomez, who was in his office at the time. Mr. Slatic and SRO Gomez returned to the snack bar area to see if the student was still around. Unable to find the student, Mr. Slatic and SRO Gomez returned to the office where Mr. Slatic gave his formal statement.

After he gave his statement to SRO Gomez, Mr. Slatic looked for Ms. [REDACTED], but she was no longer around. He then called her, and she informed him that Mr. [REDACTED] had walked her to her car, and she was on her way home. Mr. Slatic left campus a short time later. He was not sure of the time, but he said it was after 4:00 p.m.

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Mr. Slatic said he did not give a detailed statement that day to anyone other than SRO Gomez. He told Mr. [REDACTED] that there had been an altercation, but he did not provide him with any details about the incident. Mr. Slatic said he never saw Mr. [REDACTED] that day.

Statement to GV Wire

In an article of January 14, 2019 in GV Wire, Mr. Slatic said he and Ms. [REDACTED] were on campus to observe an after-school snack program. The student made some unsolicited comments to Ms. [REDACTED]. She did not quite hear the student and asked him to repeat his words. Mr. Slatic said the student then shouted profanities directed personally at Ms. [REDACTED]. Mr. Slatic said, "I can see her turn white as a sheet, giant eyes and trembling."

Mr. Slatic said he approached the student and suggested they walk to the office. The student then directed profanities at him and threatened to kill him, Mr. Slatic said. "At this point, he begins reaching for his backpack. I closed the distance. I made no physical contact with this young man, but grabbed a backpack strap so he cannot get the backpack," Mr. Slatic said.

Mr. Slatic said that after he grabbed the student's backpack, the student repeated the threat. The student then yanked the backpack away and ran to a nearby picnic table ending the incident. Mr. Slatic said he and Ms. [REDACTED] then reported the incident to a [REDACTED] and on on-campus Fresno Police officer. Mr. Slatic said Ms. [REDACTED] told him she was shaken and needed school staff to escort her back to her car.

Mr. Slatic said he was concerned by the student's threats. He said, "Based on my training, when somebody says they will kill me and shoot me, I take those threats seriously."

Statement to SRO Gomez

Mr. Slatic said when he and Ms. [REDACTED] walked past the student, the student told him, "Fuck you, I'm going to kill you." He said the distance between himself and the student was about three feet. Mr. Slatic said to the student, "Let's go to the office." He said the student responded, "I'm going to kill you and shoot you." That is when Mr. Slatic grabbed the student's backpack.

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When SRO Gomez asked Mr. Slatic why he grabbed the backpack, he responded by saying, "I knew he was going to leave and that his backpack would have his identification inside."

Mr. Slatic said when the student left and walked toward the picnic table, he continued using obscene language. Mr. Slatic said the student told him, "Fuck you motherfucker." Mr. Slatic said there were other students present at the picnic table.

Mr. Slatic said he took the student as a threat by the statements that were made to him and that the student was reaching into his backpack.

3. [REDACTED]'s Perspective

Mr. [REDACTED] has been employed with the District for 20 years. He is currently in his fourth year as the [REDACTED] at Bullard.

Mr. [REDACTED] was in his office on the afternoon of this incident when Mr. [REDACTED] came in and reported the matter to him. Mr. [REDACTED] told Mr. [REDACTED] that the student was standing by the snack bar waiting for it to open, when Mr. Slatic and Ms. [REDACTED] walked by. Apparently, the student mimicked or mocked Ms. [REDACTED] somehow resulting in her turning toward him asking what he had said and if he had a problem with her. According to Mr. [REDACTED], Mr. Slatic then approached the student to address his disrespectful behavior.

According to Mr. [REDACTED], as Mr. Slatic turned around and began to approach the student, the student tried to walk away. At that point, Mr. Slatic reportedly grabbed the student's backpack, which he was wearing at the time. The student was able to grab the backpack back and took off running, possibly yelling some sort of threat toward Mr. Slatic.

Mr. [REDACTED] told Mr. [REDACTED] that he was able to pull up the video feed from where the incident occurred and he and Mr. Slatic viewed it together. Later, after the video was viewed, Ms. [REDACTED] reportedly said something to Mr. [REDACTED] about possibly not pursuing charges against the student.

After Mr. [REDACTED] left his office, Mr. [REDACTED] found SRO Gomez to discuss the situation. SRO Gomez told Mr. [REDACTED] that he needed to get formal statements from Mr. Slatic and Ms. [REDACTED]

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to possibly explore a case against the student for threatening Mr. Slatic. Mr. [REDACTED] then called Ms. [REDACTED] and told her SRO Gomez needed to talk to her. Ms. [REDACTED] said to Mr. [REDACTED], "I thought we were dropping this."

After Ms. [REDACTED] gave her statement to SRO Gomez, she met with Mr. [REDACTED] in his office and talked about the incident with the student. She told Mr. [REDACTED] that she and Mr. Slatic were walking by the student when the student either mimicked her or somehow made fun of her. Ms. [REDACTED] told Mr. [REDACTED] that she turned around and asked the student if he was talking to her. She said she could not understand everything the student said, but she thought he called her a bitch.

Ms. [REDACTED] told Mr. [REDACTED] that it was at that point Mr. Slatic approached the student to address his disrespectful behavior. She said the student tried to leave, but Mr. Slatic grabbed him by the backpack or neck area. Mr. [REDACTED] asked Ms. [REDACTED] why they did not seek the assistance of an administrator or SRO Gomez instead of handling themselves. Mr. [REDACTED] said Ms. [REDACTED] told him she was not sure, and that everything happened fast.

Mr. [REDACTED] said Ms. [REDACTED] asked him to walk her to her car because she was fearful the student might be outside waiting for her. He did, and she left campus alone in her vehicle. Mr. [REDACTED] then returned to the office to watch the security video of the incident.

Mr. [REDACTED] said after SRO Gomez watched the video, Gomez was concerned about the aggressiveness Mr. Slatic demonstrated toward the student. Mr. [REDACTED] said it is their policy at Bullard not to touch a student unless the student is behaving in such a manner to constitute a danger to him/herself or others. It did not appear to Mr. [REDACTED] while watching the video that the student posed a danger to anyone.

Mr. [REDACTED] said SRO Gomez asked for a copy of the video as evidence. He also told Mr. [REDACTED] that his awareness of the situation satisfied the mandated reporting requirement. Mr. [REDACTED] said if SRO Gomez had not been on campus, he would have called the police to report Mr. Slatic's behavior toward the student.

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4. [REDACTED]'s Perspective

Investigative interview

Mr. [REDACTED] has been employed with the District for four years. He is in his first year as a [REDACTED] at Bullard.

Mr. [REDACTED] said he first became aware of this incident when he was contacted on the radio by SRO Gomez around 3:30 p.m. He came out and met Gomez and Mr. Slatic, who advised he and Ms. [REDACTED] had been involved in a situation with a student at the snack bar. He said the situation became physical when he grabbed the student's backpack.

Mr. [REDACTED] said Mr. Slatic told him he wanted to see the video of the incident. He assumed Mr. Slatic knew the area was covered by video because he had been involved in the upgrade of the security system at Bullard. Mr. [REDACTED] told him he would try to bring up the video, and he left for his office alone.

As Mr. [REDACTED] began searching for the video, Mr. Slatic walked into his office. While they waited, he asked Mr. Slatic about the incident. He said Mr. Slatic told him the student made a derogatory comment to Ms. [REDACTED] and that he confronted the student about his disrespectful behavior. Mr. [REDACTED] said it was about then that the video came up and the two of them watched it together. He said Mr. Slatic stood the whole time, and he is not sure how much of the video he was able to see.

Mr. [REDACTED] said when he watched the video he thought to himself, "Oh fuck," because of the physical nature in which Mr. Slatic engaged the student. He said Mr. Slatic did not show any emotion or make any comments as he watched the video. At the very end of the video, Mr. Slatic told Mr. [REDACTED] that the student said he was going to kill him.

After watching the video, Mr. Slatic left Mr. [REDACTED] office and Mr. [REDACTED] went to Mr. [REDACTED] office to report the matter to him. After doing so, Mr. [REDACTED] went by SRO Gomez' office where he saw Ms. [REDACTED]. She asked him how the video looked. Mr. [REDACTED] said he kept his answer vague and said something about how it could be perceived. Ms. [REDACTED] said she would talk to Mr. Slatic to see if he wanted to drop the matter.

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Statement to SRO Gomez

Mr. [REDACTED] told SRO Gomez that Mr. Slatic told him the student had made derogatory comments to Ms. [REDACTED], and he wanted to address the student. While contacting the student, Mr. Slatic told Mr. [REDACTED] that he grabbed the student's backpack. Words were subsequently exchanged between Mr. Slatic and the student, before the student grabbed the backpack and ran away. SRO Gomez asked Mr. [REDACTED] if Mr. Slatic said anything about the student threatening him. Mr. [REDACTED] said it was his impression that the threat came after the backpack incident.

5. [REDACTED]'s Perspective

Investigative interview

Ms. [REDACTED] has been employed with the District as a [REDACTED] since August of 2017. She reports to [REDACTED].

Ms. [REDACTED] said she has never seen the video of the incident. When I told her that I wanted to show her the video and ask her questions at various points of it, she declined, saying she did not want to watch it. Like Mr. Slatic, Ms. [REDACTED] refused to answer any questions with respect to the incident. When asked, she repeatedly stated that I would have to refer to SRO Gomez' report. When asked if she had discussed her interview with Mr. Slatic, Ms. [REDACTED] said no, that it was her [REDACTED], [REDACTED], who advised her to answer my questions in this manner. She said Mr. [REDACTED] was aware that she was meeting with me, and he felt he did not need to be present. I told Ms. [REDACTED] that her statement in the police report lacked some details that I wanted to ask her about, but she continued to refuse to answer my questions with respect to the incident. She said she would answer all my questions about the incident the same way, "Refer to Gomez' report," even if she had an independent recollection of the detail about which I was asking. When asked why she would do that, Ms. [REDACTED] said she was fearful that she might remember things differently now.

Following the incident, Ms. [REDACTED] said Mr. Slatic went to find SRO Gomez while she sat on a bench and spoke with Bullard [REDACTED]. She said they did not talk about the incident. Ms. [REDACTED] said she was still shaken up during this

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conversation, but she is not sure Ms. [REDACTED] would have noticed or not.

While she was still sitting with Ms. [REDACTED], SRO Gomez came and got her so she could give him a statement about the incident. She spoke to Gomez in his office. I asked Ms. [REDACTED] if Mr. [REDACTED] came into Gomez' office while she was in there. She said yes, and she recalled that he had just viewed the video. When asked if she asked Mr. [REDACTED] how the video looked, Ms. [REDACTED] said she might have, but she could not recall. She also said she did not recall telling Mr. [REDACTED] that she would talk to Mr. Slatik about possibly dropping the matter.

After that, she and Mr. Slatik met with [REDACTED] and the school librarian about an African-American study trip. While she was in the meeting, Ms. [REDACTED] received a call from Mr. [REDACTED] who said SRO Gomez wanted to see her again. This time she met with him in the administration office conference room. Ms. [REDACTED] said SRO Gomez asked her again about the incident and she was not sure why the second meeting was necessary.

During her investigative interview, Ms. [REDACTED] said she did not recall saying to Mr. [REDACTED] when he called, "I thought we were dropping this," as Mr. [REDACTED] reported during his interview.

After leaving the conference room, Ms. [REDACTED] went into Mr. [REDACTED] office. He asked her if she was okay. She said she did talk to him briefly about the incident. He asked her if there were any adults providing supervision in the area, and she told him no. Ms. [REDACTED] told Mr. [REDACTED] that she was nervous the student might still be lingering outside, so he offered to walk her to her car. Ms. [REDACTED] accepted and left campus shortly thereafter.

Ms. [REDACTED] said she did not have any contact with anyone over the subsequent weekend about the incident, and she reported the matter to Mr. [REDACTED] the following Monday. Ms. [REDACTED] said she has taken a 30-day leave from work because of the stress related to this incident. She said the student "verbally assaulted" her, and she feared at the time that incident could have escalated. When asked for her opinion about Mr. Slatik's actions, Ms. [REDACTED] said she did not believe it was her place to judge. She did say that she was thankful he was there.

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Statement to SRO Gomez

Ms. [REDACTED] told SRO Gomez that the student mocked her as she and Mr. Slatik walked by, so she turned to him and said, "Excuse me?" She said the student did not comment further at that time. Mr. Slatik then walked toward the student to get some clarification as to what he said. Ms. [REDACTED] said words were exchanged, but she could not make out what was said.

At that point she said the student tried to get away, but Mr. Slatik grabbed his backpack. The student was able to shimmy out of the backpack, which fell to the ground. Ms. [REDACTED] said again, words were exchanged between Mr. Slatik and the student. Ms. [REDACTED] said she kept telling Mr. Slatik to leave it alone. She then heard the student tell Mr. Slatik that he did not have to listen to him, and that he could kill him, or he was going to kill him. The student then left the area laughing and giving them the middle finger.

6. [REDACTED] Perspective

Ms. [REDACTED] has been employed with the District for 13 years. She is currently a [REDACTED] who works in the [REDACTED] at Bullard.

Ms. [REDACTED] said she was in the snack bar on the day of this incident at approximately 3:20 p.m. preparing to open it for the after-school snack, which is served to students every day from 3:30 - 5:30 p.m. Also, in the snack bar was a teaching fellow by the name of [REDACTED] (she did not know her last name).

While working inside the snack bar, Ms. [REDACTED] said she noticed the student whom she knew to be [REDACTED] standing outside the window waiting for her to open it and begin serving. While she was setting up the snacks, she noticed [REDACTED] walk away to the left as she faced out the snack bar. She did not notice anyone follow him, but she said she was not really paying close attention.

Ms. [REDACTED] said she did not hear anything outside the snack bar, but she said it is very difficult to hear anything from inside the snack bar because of the equipment in there, such as an ice maker, a freezer and some other appliances. She said she even has trouble hearing students as they stand at the open window talking to her.

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Ms. [REDACTED] told SRO Gomez essentially the same thing she told me during her interview.

7. [REDACTED] Perspective

Ms. [REDACTED] is a [REDACTED] at [REDACTED] who is employed with the [REDACTED]. She provides after-school tutoring services at Bullard. She said she occasionally works the snack bar after school when her lead worker, who usually works it, is absent, which she was on the day of this incident.

Ms. [REDACTED] said she arrived at the snack bar that day at approximately 3:15 p.m. along with Ms. [REDACTED]. She said there were a few students standing around the general area, but she did not know them. She recalled a male student walking back and forth directly in front of the snack bar.

Ms. [REDACTED] said she could not hear anything outside the snack bar because of the noise the appliances inside make. She said even when talking to the students at the open window, it is difficult to hear them. Ms. [REDACTED] did not hear any commotion or yelling outside the snack bar that day before they opened. She also said that she did not see anything out of the ordinary.

Ms. [REDACTED] told SRO Gomez essentially the same thing she told me during her interview.

8. [REDACTED]' Perspective

[REDACTED] is a freshman at Bullard and is a friend of [REDACTED]. He said he was in the area of the snack bar and witnessed the end of the incident with [REDACTED], but he did not see how it started. [REDACTED] said he was walking toward the snack bar from gate in front of the school with another friend, [REDACTED].

[REDACTED] said the first thing he saw with respect to the incident was the adult male grab [REDACTED] and cause his backpack to come off. He said the adult then stomped on the backpack to keep [REDACTED] from getting it. He said [REDACTED] then grabbed the backpack and ran away.

[REDACTED] said he did not hear anything that was said between [REDACTED] and the man. He said [REDACTED] ran toward him and [REDACTED] (to the east) and then walked off campus. As he walked past them, [REDACTED] said, "He's trippin," referring to the man. [REDACTED] did not see [REDACTED]

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say anything to the adults as he ran away. He also did not see [REDACTED] flip them the middle finger. [REDACTED] said the adults did not chase after [REDACTED], but instead just walked away.

[REDACTED] said he was also interviewed by SRO Gomez, and he told him the same thing he told me. [REDACTED] interview did not appear in the version of the police report I have. It is likely SRO Gomez prepared a supplemental report containing [REDACTED] and [REDACTED] statements, which I do not have.

9. [REDACTED]'s Perspective

[REDACTED] is also a freshman at Bullard. He recalled the incident in question and confirmed he was with [REDACTED] at the time. [REDACTED] said he had just come out of the restroom and walked toward the bench that sits in front (to the east) of the snack bar. He said another student named [REDACTED] (last name unknown) and [REDACTED] girlfriend came to the bench just after the incident with [REDACTED] was over, so they would not have seen anything.

[REDACTED] said he was talking with [REDACTED] when he turned around toward the snack bar and saw [REDACTED] and "some old guy" fighting. The first thing he saw was the man grabbing [REDACTED] backpack while [REDACTED] was trying to get away. [REDACTED] said he really does not know [REDACTED] that well, in that he has only spoken to him a couple of times.

[REDACTED] said he thought the backpack was off when [REDACTED] and the man were staring at each other. Shortly thereafter, [REDACTED] grabbed his backpack and ran or walked over to where he and [REDACTED] were at by the bench. He said [REDACTED] said something as he walked by, but [REDACTED] did not hear what he said because he was wearing headphones. [REDACTED] then walked off campus.

Prior to [REDACTED] passing by him, [REDACTED] said he had removed his headphones to see if he could hear what was going on. He heard the woman who was with the man say, "Come on, let's go get the office," or something like that. Before [REDACTED] reached him, [REDACTED] put his headphones back on.

[REDACTED] said he did not hear [REDACTED] say anything to the adults as he walked away from them. When asked if [REDACTED] flipped the adults the middle finger, [REDACTED] said, "I don't know. I stopped looking."

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██████ said he was also interviewed by SRO Gomez, and he told him essentially the same thing he told me. As stated above, ██████ statement does not appear in the police report I have.

VI. FINDINGS AND ANALYSIS

As an initial matter, there are several facts that are not in dispute or involve only minor differences. Those facts are as follows:

- As Mr. Slatic and Ms. ██████ walked past the student, the student made a mocking comment to them. The student's comment caused Mr. Slatic and Ms. ██████ to stop and turn their attention to the student. The student then used profanity and made a disrespectful comment of some kind to Mr. Slatic and Ms. ██████.
- Mr. Slatic approached the student and words were exchanged, including more profanities from the student. Mr. Slatic grabbed the student's backpack, which he was wearing.
- There was a brief struggle between Mr. Slatic and the student, resulting in the backpack coming off the student and Mr. Slatic holding it.
- Mr. Slatic dropped the backpack on the ground and he and the student squared off with each other. As they faced each other, the student threatened to beat and shoot Mr. Slatic.
- Ms. ██████ approached Mr. Slatic and the student, and the student grabbed his backpack off the ground and ran off.

The most significant dispute and the primary fact that is at issue in this investigation, is when the student threatened Mr. Slatic. Mr. Slatic alleges the student threatened his life when he was approaching the student, before he grabbed the backpack. The student admitted he threatened to shoot Mr. Slatic, but not until after Mr. Slatic grabbed his backpack and the two physically struggled with each other.

Because there are two versions of the same event, it was necessary to conduct a credibility assessment. In making this credibility determination, I considered factors such as: (1) the inherent plausibility of each person's version; (2) corroborating evidence; (3) motive to falsify; (4) consistent or inconsistent statements; and (5) manner of responding to questions. Where appropriate, such factors were analyzed and incorporated into my findings.

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Neither Mr. Slatik nor Ms. [REDACTED] fully cooperated with this investigation during their respective interviews. Although they both showed up and agreed to answer certain questions, both refused to answer questions regarding the facts of the incident. Instead, they both said I was to refer to their statements contained in the police report. Even when I asked questions about details not included in the police report, they refused to answer. In addition to his statement in the police report, Mr. Slatik also said his comments to GV Wire were accurate and he stood by those.

Slatik and [REDACTED] walk by the student

The student admitted to making a mocking remark to Mr. Slatik and Ms. [REDACTED] as they walked by him. He said he was just trying to be funny. But when Ms. [REDACTED] asked him what he said and what he was doing there, the student admitted to saying, "Nothing," and then, "None of your damn business."

Mr. Slatik told SRO Gomez that the student responded by saying, "Fuck you bitch." According to Gomez' report, Ms. [REDACTED] said the student did not comment.

Whether the student said, "None of your damn business," or "Fuck you bitch," is not determinative for the purposes of this investigation. Either comment would reasonably be interpreted by Mr. Slatik and Ms. [REDACTED] as being rude and disrespectful.

Slatik approaches the student and grabs backpack

A portion of what happened next is in dispute. Mr. Slatik turned back toward the student and approached him. At that point, the student said he told Mr. Slatik to, "Leave me the fuck alone," and he tried to walk away. Before he could leave, the student said Mr. Slatik got angry and grabbed his backpack.

Mr. Slatik told SRO Gomez that as he began walking toward the student, the student walked toward him and said, "Fuck you, I'm going to kill you." In response, Mr. Slatik said he told the student, "Let's go to the office." Mr. Slatik said the student then said, "I'm going to kill you and shoot you." Mr. Slatik then grabbed the student's backpack.

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Mr. Slatic told SRO Gomez that he grabbed the backpack because the student was trying to leave, and he figured his identification would be in the backpack. He also told Gomez that he viewed the student as a threat because of the statements he made to him and because the student was reaching into his backpack.

Mr. Slatic told GV Wire that he approached the student and suggested they walk to the office. He said the student then directed profanities at him and threatened to kill him. Mr. Slatic went on to say, "At this point, he begins reaching for his backpack. I closed the distance. I made no physical contact with this young man, but grabbed a backpack strap so he cannot get the backpack." Mr. Slatic said when he grabbed the backpack, the student repeated his threat to kill him.

According to Mr. [REDACTED], Mr. Slatic told him that he confronted the student to discuss his disrespectful behavior. Mr. [REDACTED] said Mr. Slatic also told him that the student threatened to kill him, but he did not say at what point during the incident the threat was made.

Ms. [REDACTED] told SRO Gomez that Mr. Slatic approached the student to get some clarification as to what the student said. She said there were words exchanged as Mr. Slatic approached the student, but she could not make them out. She told SRO Gomez that the student then tried to get away, but Mr. Slatic grabbed his backpack. She said the student shimmied out of the backpack and it fell to the ground. While Ms. [REDACTED] statement does not contradict Mr. Slatic's, it also does not corroborate it.

The video also fails to corroborate some of Mr. Slatic's statements regarding this part of the incident. First, based on the video evidence, the student never walked toward Mr. Slatic as Mr. Slatic approached him. In fact, it shows the opposite. The student began walking away as Mr. Slatic approached him, which is also consistent with Ms. [REDACTED] statement to SRO Gomez.

Secondly, based on the video evidence, the student never reached into his backpack as Mr. Slatic told SRO Gomez, nor did he reach for his backpack as Mr. Slatic told GV Wire. The video shows the student's hands were at waist level as he tried to walk away from Mr. Slatic. As Mr. Slatic grabbed the backpack, the student's left hand remained at waist level, while his right hand crossed his

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body to the left in an apparent effort to keep Mr. Slatic from pulling the backpack off him.

Slatic and the student struggle

After Mr. Slatic grabbed the backpack, a brief struggle ensued as the student tried to release himself from Mr. Slatic's grasp. The student admitted to pushing Mr. Slatic, which the video confirms, but he said Mr. Slatic was big and "did not go anywhere." The student said he was finally able to slip out of the backpack leaving Mr. Slatic to hold it.

Mr. Slatic said as he grabbed the backpack, the student repeated the threat to kill him. He did not discuss the struggle with the student in any more detail with either SRO Gomez or GV Wire. And as stated earlier, Mr. Slatic refused to answer my questions about the incident.

Ms. [REDACTED] told SRO Gomez that after Mr. Slatic grabbed the backpack, the student shimmied out of it and it fell to the ground. Like Mr. Slatic, Ms. [REDACTED] refused to answer my questions about the incident.

The video shows Mr. Slatic grabbing what appears to be the right strap of the backpack and pulling it toward him. As a result of Mr. Slatic pulling on the strap, the student backed up two steps toward Mr. Slatic. The student's right shoulder appeared to be right up against Mr. Slatic's chest at that point. Mr. Slatic then pivoted to his left, or counterclockwise, bringing the student with him. The student was then able to get some separation and he pushed Mr. Slatic in an effort to free himself from his grasp. The student pushed Mr. Slatic at least twice and was able to slip out of the backpack.

Slatic and the student square off

The student said after he slipped out of his backpack, he squared off with Mr. Slatic. He said at that point, he thought he was going to have to fight Mr. Slatic, which he did not want to do because Mr. Slatic was much bigger than him. The student said he told Mr. Slatic at that point that he was going to beat his ass and shoot him. He said he did not have a weapon and was not going to shoot Mr. Slatic, but that he made the threat because he was scared. He said Mr. Slatic said to him, "Alright, let's go. You

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sure you want to go?" When the student told him yes, he wanted to go, he said Mr. Slatic said, "Ok, let's go."

Mr. Slatic did not speak to this part of the incident to SRO Gomez, GV Wire or to Mr. [REDACTED]. Again, he refused to answer my questions.

Ms. [REDACTED] told SRO Gomez that the backpack fell to the ground as the student shimmied out of it. After that, as the two squared off, Ms. [REDACTED] said more words were exchanged between Mr. Slatic and the student. She said the student kept telling Mr. Slatic, "I don't have to listen to you," and either, "I could kill you," or "I am going to kill you."

The video shows that after the student was able to get free from his backpack, Mr. Slatic held onto it briefly. As the student squared off with him, Mr. Slatic dropped the backpack to the ground in front of him. The two individuals then squared off with each other for a few moments.

[REDACTED] approaches and the student runs off

The student said after he and Mr. Slatic faced each other and exchanged words, Ms. [REDACTED] began walking toward them saying, "No...no...", meaning she did not want them to fight. The student said Mr. Slatic was briefly distracted so he grabbed his backpack and ran off. The student said he did not say or do anything as he ran off.

Mr. Slatic told SRO Gomez that the student left and went toward the picnic table continuing to say obscene language. Specifically, Mr. Slatic recalled the student saying to him, "Fuck you motherfucker."

Mr. Slatic told GV Wire that the student yanked the backpack away and ran to a nearby picnic table ending the incident.

Ms. [REDACTED] told SRO Gomez that she kept telling Mr. Slatic to leave it alone. She said the student then left the area laughing and giving them the middle finger.

The video shows Ms. [REDACTED] approach the student and Mr. Slatic as they were facing each other. The student then grabbed the backpack off the ground and ran off.

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Additional information

Following the incident, Ms. [REDACTED] expressed an interest to both Mr. [REDACTED] and Mr. [REDACTED] in dropping any potential charges against the student for making threats against Mr. Slatic. When she saw Mr. [REDACTED] after he viewed the video in his office, she asked him how the video looked. After Mr. [REDACTED] gave some vague answer about people's possible perception of it, Ms. [REDACTED] said she would talk to Mr. Slatic about possibly dropping the matter. A short time later when Mr. [REDACTED] called Ms. [REDACTED] and told her SRO Gomez needed to talk to her again, she said to Mr. [REDACTED], "I thought we were dropping this." During her interview with me, Ms. [REDACTED] did not deny making these remarks, but she also said she could not recall making them.

Additional credibility analysis

As mentioned above, it is appropriate to consider the inherent plausibility of statements in assessing credibility. There is no dispute that the student threatened to shoot or kill Mr. Slatic. However, in my opinion, it is more plausible that the student would make the threat *after* he was engaged physically by Mr. Slatic than before. According to Mr. Slatic, the student made a mocking and disrespectful remark to Ms. [REDACTED] and as he turned back around and began to approach, the student threatened to kill him. In conjunction with that, Mr. Slatic also said the student began approaching him and that he reached for or into his backpack, neither of which the video corroborated.

Mr. Slatic's version of the events at this portion of the incident seems less plausible than the student's version. The student said he tried to get away from Mr. Slatic, which is corroborated by the video. And while the student admitted to telling Mr. Slatic to leave him the fuck alone, he said he did not threaten to shoot Mr. Slatic until after the physical altercation, at a time he was scared and thought he was going to have to fight.

The fact that Mr. Slatic failed to answer my questions about the incident must also be considered. It is appropriate to consider his lack of cooperation when assessing his credibility.

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Finally, I am unaware of any motive the student would have to lie about when he threatened Mr. Slatic. Since he readily admitted to making a threat to shoot him, one must ask why he would lie about a second threat or the timing of the threat. It is worth noting that the student also admitted to making the original mocking remark, using extreme profanity toward Mr. Slatic, smoking marijuana [REDACTED]. Given the totality of his honesty, it makes little sense that he would lie about another threat or the timing of the threat. Also, Ms. [REDACTED] heard the student make the threat after the two squared off, but not before Mr. Slatic grabbed the backpack.

Findings

Based on the preponderance of the evidence standard, it is more likely than not that the following occurred. Mr. Slatic approached the student and grabbed his backpack as a result of the student's disrespectful and profane comments to both him and Ms. [REDACTED]. The student threatened to beat and shoot Mr. Slatic after Mr. Slatic engaged him physically by grabbing his backpack. The threatening words came as the two squared off with each other as if to fight, and not before Mr. Slatic grabbed the backpack.

VII. CONCLUSION

Unless otherwise directed, this concludes my investigation. Please do not hesitate to contact me with any questions you might have. Thank you for the opportunity to assist with this case.